



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2982



LETTER OF DEFICIENCY
WD - WQE 03-06

June 11, 2003

Attn: William Conte
Harvey Construction Corp. of New Hampshire
10 Harvey Road
Bedford, New Hampshire 03110-6805

Attn: Art Davis
Thibeault Corp. of New England
603 Old Mammoth Road
Londonderry, New Hampshire 03053

RE: DES Wetlands Permit 2003-00096 and Site Specific Permit WPS-6436
Prospect Mountain High School, Alton, NH

Dear Messrs. Conte and Davis

On June 3, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Alton Tax Map 8 as Lot 54 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700 and with RSA 485-A:17 and applicable rules promulgated pursuant thereto.

During the inspection the following deficiencies were documented:

Construction was not in accordance with the plans approved under Site Specific Permit WPS-6436. Specifically:

- a. An area in excess of 5 acres had been disturbed; and,
 - b. Ponds 3 and 5 had not been stabilized before drainage had been directed to them
2. Widespread rill erosion had occurred in the areas that drain to Ponds 3 and 5
 3. Sediment-laden water was draining from Pond 3 into a wetland approximately 150 feet east of the pond.

4. Some of the silt fence had not been properly installed. Specifically:
 - a. Sections had not been toed-in;
 - b. There were gaps between sections; and
 - c. Some of the material had not been stapled to the stakes.
5. Sections of the Stabilized Construction Entrance had filled in with sediment.
6. The wetlands crossing in wetlands impact area 6 was not constructed as described in plans received by DES from Appledore Engineering on January 6, 2003, and as required by Condition 1 of Wetlands and Non- Site Specific Permit 2003-96 (the "Wetlands Permit").
7. The wetlands crossing at impact area 6 was not installed during low flow as required by Condition 6 of the Wetlands Permit.
8. Proper headwalls were not installed for the crossing at wetlands impact area 6 as required by Condition 24 of the Wetlands Permit.

DES believes the deficiencies can be corrected by:

Engaging the services of a Certified Professional in Erosion and Sediment Control ("Consultant") for an initial period of one (1) month. During this period, the Consultant should inspect the subject site at least once a week, and if possible, **during a significant rain event**. If unable to be present during such a storm, the Consultant should inspect the site within 24 hours of a ½ - inch rain event (i.e. ½ - inch of precipitation within a 24 hour period). The Consultant should provide technical assistance and recommendations to the contractor(s) on the appropriate Best Management Practices for Erosion and Sediment Controls, such that sediment-laden water does not drain into wetlands and/or surface waters or off-site. Within 24 hours of the site visit, the Consultant should prepare and submit a written report of their findings and recommendations to: Denise M. Frappier and Vicki Chase at: dfrappier@des.state.nh.us and vchase@des.state.nh.us, respectively.

2. Stabilizing disturbed areas so that no more than 5 acres is open at one time.
3. Providing an erosion control plan and a construction sequence by June 18, 2003 for replacement of the existing culvert at wetlands impact area 6 with the permitted crossing as depicted on Impact Detail Plan received by DES on March 21, 2003 from Appledore Engineering, Inc.
4. Properly installing and repairing the silt fence within 5 days of the receipt of this letter.

- 5 Cleaning and repairing the Stabilized Construction Entrance in accordance with the Plans within 5 days of the receipt of this letter.

DES believes that the cited deficiencies can be corrected within the time periods established within this LOD. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party. DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A and 485-A:17 will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Denise Frappier
Site Specific Program
Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Denise Frappier at 433-5981, Vicki Chase at 271-4062 or me at 271-2303.

Sincerely,


COPY
Ridgely Mauck, P.E.
Land Resources Management Program

CERTIFIED MAIL: 7002 3150 0001 5411 1036 (Harvey Construction)
7002 3150 0001 5411 1029 (Thibeault Corp)

cc: Mark Harbaugh, Administrator, DES Legal Unit
Alton Conservation Commission
Alton Board of Selectmen
Donald Parks, Superintendent, Alton School District
Chris Danforth, Schauer Environmental Consultants
Rene Pelletier, DES